

Exhibit 39
to Mao Declaration ISO
Plaintiffs' Motion for Leave to
Amend Complaint

Public Redacted Version

Pr [REDACTED] Na [REDACTED] | scratch pad

Commented [1]: [REDACTED] heftluthy [REDACTED]
[REDACTED] adebooi [REDACTED] [REDACTED] m miosa [REDACTED]
[REDACTED] kallebu [REDACTED] began a sort of "workbench
2.0" doc for us to capture our somewhat refined
challenge landscape.

Will continue to add to this next week and pull in the
insights from our synthesis workshop; hopefully it can
serve as a concise & consolidated reference as we
move forward.

Mission

This workstream aims to define an overarching vision and strategy for PDPO to inform the
Google privacy experience across products and services according to a 5-year time horizon.

Core team

adebooi [REDACTED], heftluthy [REDACTED], justcher [REDACTED], jwol [REDACTED], kallebu [REDACTED], mediha [REDACTED], mimosa [REDACTED], mseg [REDACTED], ohelyse [REDACTED]
shudi [REDACTED], yings [REDACTED]

Commented [2]: [REDACTED] mimosa [REDACTED] #help
Assigned to Mimosa Lynch [REDACTED]

Commented [3]: do you want them all listed out?

Commented [4]: Did I miss anyone from the core
team? Or are we all listed out somewhere I could
reference?

Related resources

P.N definition of privacy
P.N research synthesis

Key experience challenges

What prevents people from feeling comfortable and in-control of their privacy

1. Broad permissions

It's difficult for people to fully / meaningfully give permission

Not only are the implications of WAA extremely broad and varied, but people use Google in such diverse ways — much of the language intended to be comprehensive feels vague and hard-to-parse for non-engineers / lawyers, and our examples are not universally resonant

- We have a few permissions covering a broad scope of activity, info & data collection and use
- The lack of clarity around what specific role people's data plays in their experience of our services — and the fact that everyone uses a different constellation of services — means many struggle to grasp,
 - the value their collected data enables
 - how their data will be used (and by extension, whether it could make them vulnerable to privacy issues)
 - the service implications of denying Google access to their data
 - what will happen with data after it's collected; it's very difficult for users (and us) to assess long-term risk
- This can result in people feeling unequipped to make informed decisions, or even questioning whether they *have* a genuine choice if they want to enjoy Google services.
- When consent is given despite an inaccurate or incomplete understanding of the above, people experience negative surprises / trigger moments (encountering unexpected personalization) eroding their trust in Google.

...so people struggle to know what exactly they're sharing, and to see what's "in it" for them.

Commented [5]: IMO this is a symptom of the problem, which is more point #2. We can only have broad permissions when our reasons for data collection are actually themselves broad.

Commented [6]: interesting point.

phelyse
kallebu
yingsi

If we started with broad permissions, our benefits statement will be broad as a consequence. If we started with broad benefits, permissions would have to follow.

Looking back, Google might have started with 'broad benefits' as permissions were introduced down the line.

Commented [7]: Very much agree, broad permissions/consent is a symptom itself, but it is the first and most tangible part of the experience we can tackle. From there we need to drive change upwards and into the organization as well as downwards through the products to the user.

The core challenge is our (outdated) company mindset/vision of how we deliver value and engage with users.

2. Lack of benefits

When permission is given, most people don't experience enough (or any) of the value that their own data purportedly adds to the products they use

Meanwhile, we espouse (and internally ascribe to) the idea that our users *primarily* benefit from giving access to their data — and Google's revenue is a happy side-effect

- People think about Google in terms of the services they use
- Depending on which Google services a given person uses most, they may or may not receive any tangible benefits from sharing their personal information and activity data with Google
- When people don't directly experience utility or otherwise benefit as a result of giving access to their personal information they suspect Google is profiting disproportionately from their data
 - Often targeted ads are the most ready reference people have when thinking about personalization online
- This perceived asymmetry can undermine privacy or trust initiatives predicated on the assumption that personalization is generally understood and appreciated, and that we demonstrably put users first
- While internally we have a shared sense of the power (or at least the potential) of personalization to meaningfully improve product experiences
 - and many users have a vague understanding that Google uses aggregated user data to evolve and improve services over time
- Unfortunately it's not obvious to everyone when or how their data is working to enhance their experience of the Google services they use — either individually or in constellation with other Google products
- This disconnect deepens confusion (...why was I asked to grant access to my location?)
 - and can feed into the perception that Google has an insatiable appetite for user data to further its own interests / make money.

Commented [8]: In addition to "value that their own data purportedly adds" I think we need to include that lack of benefits FOR YOU are inherently part of this.

Google, and internet technology in general, focuses on "users" but doesn't focus on "the user" and as a result our PURPOSES are vague.

Commented [9]: Similar comments here to what I said below

Commented [10]: Jamarlow [REDACTED] Hi Jenn! Wanted to follow-up on your comments in the slide deck here, your thoughts are so appreciated!

The connection we've been exploring is the idea that the perception of a fundamental asymmetry (my data benefits Google more than Google having my data benefits me) contributes to and reinforces existing narratives around ads p13n and Big Tech's exploitation of users. This has come up both in our executive interviews and user research.

Slides like this one https://docs.google.com/presentation/d/1NleHbIAL-GXyRwCwRg8D8GTxj0LloevAlfgWUvSDIA/edit#slide=id.g728c968497_0_856 seem to point to the perception that the purpose of Google requesting access to user data is for Google to earn money (rather than primarily to personalize product experiences) thereby allowing Google to provide free services (which "exist" ultimately to collect data — and around and around we go)

Does that interpretation seem off to you? Do you rather think that providing free services is itself the problem, and thereby only solvable by charging for products?

Jadeboon [REDACTED] Kallebu [REDACTED]
Assigned to Jennifer Marlow

Commented [11]: I think it's more that people acknowledge (and mostly) accept that the benefit to them is being able to use free products and services, and the "cost" is "paying" with their data. (Often they don't want to pay, so this is seen as an acceptable tradeoff) People seem to be more angry/feel more exploited when (they believe) a company like Google sells/gives their data to third parties or other outside entities -- in this case, Google is "profiting" off their data

Commented [12]: How does this conversation change when we position ads as a product and apply the same expectations to it, including providing tangible and clear benefits?

Commented [13]: I believe that people, when asked, often understand that they are getting a free product in return for seeing ads and that data somehow plays a role in this but also think this isn't top of mind.

Agree that parties other than Google getting their data is the biggest concern for people. And in many cases, seeing an ad might make people believe that this is ...

Commented [14]: Exactly, so what we are saying is that we need to make it very explicit what we use the data for and what not, and for whatever data we use we need to provide very tangible benefits so that this issue described above is resolved.

Commented [15]: agreed, but people might still believe that to provide you "value from ads personalization" (however we frame this), we can do that without giving your data away.

3. Unclear role of personalized ads

Personalized ads trigger mistrust, reinforcing misconceptions and feelings of exploitation

While most people understand and accept that advertising plays an important role in keeping Google free — and may even prefer personalized ads to generic ads — many feel their data is the “price they pay” to use Google, and that p13n = ads

Commented [16]: I'd like to see us making the point about Ads as a product - if we can get users to think of ads as a product, it doesn't SOLVE ads but it reduces complexity in general and gives a clearer path forward for Ads to get in line rather than being its own special thing

Commented [17]: I see that this could be part of us describing the solution space, not the challenge.

- Ads themselves are not necessarily the problem — but are seen as a symbol of how their data is used
- The extent to which people feel seen (and often followed) by advertisers triggers concerns about being profiled, surveilled, and even manipulated; intentionally or otherwise.
- It's unclear to people what information about them is shared with our advertising partners & websites (3P), and what role our users play in our revenue model
- When people see their data at work in the products they use (*I allowed my location to be collected so now Maps can give me driving directions*) a key purpose of collecting their data is seen as obvious, justified; user data in, functionality/value out.
 - People who don't directly experience their data at work in the products they use (*I allowed my location to be collected so now Gmail can... and YouTube can... um*) are likely to suspect the sole purpose of collecting their data to be ads p13n — user data in, money for Google out — for lack of any other demonstrable purpose.

///sam scratchpad

1. Google collects data for two core and contradictory reasons.

We have stated that Google collects personal data for two reasons:

1. To improve products for *you*
2. To improve products for *everyone*.

(Ads are just a product, and should be considered part of this rather than a third reason!)

Our incentives for opt-in on the first reason (for *you*) are aligned with the user, but misaligned for the second reason (for *everyone*).

- Some products, like YouTube, require user data for personalization in order to be anywhere near as good as we want them to be. Some products, like Search, mostly require user data for *aggregate improvements* - personalization with user data is only a small part of the ranking algorithm, but the ranking algorithm itself is hugely based on trends within user data.
- Ads themselves are not necessarily the problem — but are seen as a symbol of how their data is used
- The extent to which people feel seen (and often followed) by advertisers triggers concerns about being profiled, surveilled, and even manipulated; intentionally or otherwise.
- When people see their data at work in the products they use (*I allowed my location to be collected so now Maps can give me driving directions*) a key purpose of collecting their data is seen as obvious, justified; user data in, functionality/value out.
 - People who don't directly experience their data at work in the products they use (*I allowed my location to be collected so now Gmail can... and YouTube can... um*) are likely to suspect the sole purpose of collecting their data to be ads p13n — user data in, money for Google out — for lack of any other demonstrable purpose.

2. As a result, the value of opting-in for data collection isn't clear — to us or to users.

Since users are opting in for both personal and collective benefits, the permissions structure we've built around those benefits is, by necessity, incredibly broad.

When permission is given, most people don't experience enough (or *any*) of the value that their own data purportedly adds to the products they use. But *Google still has an incentive to get them to accept!*

- People think about Google in terms of the services they use
- Depending on which Google services a given person uses most, they may or may not receive any tangible benefits from sharing their personal information and activity data with Google
- When people don't directly experience utility or otherwise benefit as a result of giving access to their personal information they suspect Google is profiting disproportionately from their data

3. The result is a system that we think is good for *users* (plural), but isn't good for *the user* (singular).

We cannot empower a given user to be *in control of their privacy* ("*who knows what about me for what purpose*") if everyone doing that to the full extent they want would cripple our products.

- We operate in a competitive environment that requires proof of value delivery — e.g. for creators on YouTube, advertisers and publishers on 3P sites, and businesses on Google Maps.
- Users have no stake in that relationship, and as such being asked to consent for something that doesn't benefit them simply doesn't make sense

Additional challenges

Priority TBD

Experience

- Strong conflation of ads and product p13n (Making product and ads benefits tangible to users explicit/separately)
- Display ads experience/perception (1P & 3P)
- Lack of privacy-specific products/features (e.g. Password Manager, Incognito)
- Lack of observable proof / people don't believe us (ads & product)

Organizational

- Resistance of PAs
 - How to encourage compliance
 - How to actually excite and inspire
 - How to help and empower
- How to make privacy cool (vs. make something cool that improves privacy — technical challenge, emotionalize)

Solution requirements

Known | Present

- ...

Anticipated | Future

Potential levers

Appendix

Still-unprocessed notes

- Our permissions structure may be the crux / keystone, but we're under no illusion this is strictly a consent challenge
- Google has done a lot of research that points to this challenge space as critical, but until now have not reexamined our foundational approach / relationship with user data as a result
- We are not suggesting we want to increase complexity by turning 3 controls into 300 — we are suggesting transforming the experience (and our mindset) from “tuning privacy” to “making the products you use work right for you, one at a time”
- “All politics are local” → modularity, immediacy, meaning
- Privacy as the enabler